

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THOMAS G. SMITH,

Plaintiff,

CASE NO. C13-1404-RAJ-MAT

V.

UNITED STATES OF AMERICA,

Defendant.

**ORDER GRANTING MOTION FOR
PARTIAL SUMMARY JUDGMENT**

The Court, having reviewed the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, finds and Orders as follows:

1. The Court adopts the Report and Recommendation;
 2. Defendant's motion for partial summary judgment (Dkt. 24) is GRANTED;
and,
 3. The Clerk shall send a copy of this Order to the parties and to Judge Theiler.

DATED this 3rd day of February, 2015.

Richard D Jones

The Honorable Richard A. Jones
United States District Judge